

ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

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Docket No.: 600.1027
Date: December 17, 2002

JAN 03 2003

3721

In re application of: David Elliott WHITTEN TECHNOLOGY CENTER R3700
 Serial No.: 09/456,869
 Filed: 12/08/99
 For: DEVICE FOR SEIZING OF FLAT MATERIAL ON A TRANSPORTING SURFACE

Sir:

Transmitted herewith is a **Appellant's Brief** under 37 CFR 1.192 (in Triplicate 11 pages each) in the above-identified application.

Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
 Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
 No fee for additional claims is required.
 A filing fee for additional claims calculated as shown below, is required:

| (Col. 1) | (Col. 2) | SMALL ENTITY | | OR | LARGE ENTITY | |
|---|--------------|--------------|------------|----|--------------|-----|
| | | RATE | Fee | | RATE | Fee |
| FOR: | REMAINING | HIGHEST | | | | |
| | AFTER | PREVIOUSLY | PRESENT | | | |
| | AMENDMENT | PAID FOR | EXTRA | | | |
| TOTAL CLAIMS | * Minus** = | 0 | x \$ 9 \$ | | x \$ 18 \$ | |
| INDEP. CLAIMS | * Minus*** = | 0 | x \$ 42 \$ | | x \$ 84 \$ | |
| [] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | + \$140 \$ | | | + \$280 \$ | |

TOTAL: \$ TOTAL: \$

* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

Also transmitted herewith are:
 Petition for extension under 37 C.F.R. 1.136 (in duplicate)
 Other: Fee Transmittal

Check(s) in the amount of **\$0.00** is/are attached to cover:
 Filing fee for additional claims under 37 C.F.R. 1.16
 Petition fee for extension under 37 C.F.R. 1.136
 Other:

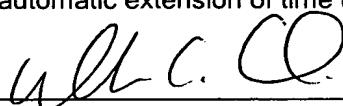
The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 Any patent application processing fees under 37 C.F.R. 1.17.
 Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

BOARD OF PATENT APPEALS AND INTERFERENCES

2002 DEC 30 PM 2:20

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 DAVIDSON, DAVIDSON & KAPPEL, LLC
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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on

December 17, 2002

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 
 Jan Decker

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|----------------|
| Application Number | 09/456,869 |
| Filing Date | 12/08/99 |
| First Named Inventor | WHITTEN |
| Examiner Name | Eugene Lee KIM |
| Group / Art Unit | 3721 |

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JAN 03 2003

TOTAL AMOUNT OF PAYMENT (\$ 320

Attorney Docket No. 600.1027 TECHNOLOGY CENTER 13700

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

 Deposit Account:Deposit
Account
Number

50-0552

Deposit
Account
Name

Davidson, Davidson & Kappel, LLC

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | Small Entity Fee Code | Fee Description | Fee Paid |
|-----------------------|-----------------------|-----------------|----------|
| 101 | 740 | 201 | 370 |
| 106 | 330 | 206 | 165 |
| 107 | 510 | 207 | 255 |
| 108 | 740 | 208 | 370 |
| 114 | 160 | 214 | 80 |

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------|----------------|----------|
| | | ** = 0 | X 0 = 0 | |
| | | ** = 0 | X 0 = 0 | |

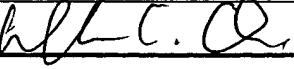
| Large Entity Fee Code | Small Entity Fee Code | Fee Description | Fee Paid |
|-----------------------|-----------------------|-----------------|----------|
| 103 | 18 | 203 | 9 |
| 102 | 84 | 202 | 42 |
| 104 | 280 | 204 | 140 |
| 109 | 84 | 209 | 42 |
| 110 | 18 | 210 | 9 |

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

| 3. ADDITIONAL FEES | Large Entity Fee Code | Small Entity Fee Code | Fee Description | Fee Paid |
|-----------------------------------|-----------------------|-----------------------|---|----------------------|
| 105 | 130 | 205 | 65 SurchARGE - late filing fee or oath | |
| 127 | 50 | 227 | 25 SurchARGE - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 Non-English specification | |
| 147 | 2,520 | 147 | 2,520 For filing a request for reexamination | |
| 112 | 920* | 112 | 920* Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 Extension for reply within first month | |
| 116 | 400 | 216 | 200 Extension for reply within second month | |
| 117 | 920 | 217 | 460 Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 Notice of Appeal | |
| 120 | 320 | 220 | 160 Filing a brief in support of an appeal | 320 |
| 121 | 280 | 221 | 140 Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 Design issue fee | |
| 144 | 620 | 244 | 310 Plant issue fee | |
| 122 | 130 | 122 | 130 Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 Processing fee under 37 CFR 1.17 (q) | |
| 126 | 180 | 126 | 180 Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | |
| *Reduced by Basic Filing Fee Paid | | | | SUBTOTAL (3) (\$ 320 |

| SUBMITTED BY | | Complete (if applicable) | | | |
|-------------------|---|----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | William C. Gehris | Registration No. Attorney/Agent) | 38,156 | Telephone | (212) 736-1940 |
| Signature |  | | | Date | December 17, 2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.